



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

MAY - 9 2001

Food and Drug Administration
9200 Corporate Boulevard
Rockville MD 20850

Mr. Winston Anderson
President
Merits Health Products, Inc.
P.O. Box 150356
Cape Coral, Florida 33915

Re: K010380
Trade Name: MP3HD Big Boy Power Wheelchair
Regulation Number: 890.3860
Regulatory Class: II
Product Code: ITI
Dated: February 7, 2001
Received: February 8, 2001

Dear Mr. Anderson:

We have reviewed your Section 510(k) notification of intent to market the device referenced above and we have determined the device is substantially equivalent (for the indications for use stated in the enclosure) to devices marketed in interstate commerce prior to May 28, 1976, the enactment date of the Medical Device Amendments, or to devices that have been reclassified in accordance with the provisions of the Federal Food, Drug, and Cosmetic Act (Act). You may, therefore, market the device, subject to the general controls provisions of the Act. The general controls provisions of the Act include requirements for annual registration, listing of devices, good manufacturing practice, labeling, and prohibitions against misbranding and adulteration.

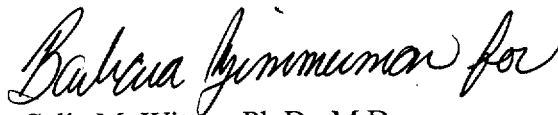
If your device is classified (see above) into either class II (Special Controls) or class III (Premarket Approval), it may be subject to such additional controls. Existing major regulations affecting your device can be found in the Code of Federal Regulations, Title 21, Parts 800 to 895. A substantially equivalent determination assumes compliance with the current Good Manufacturing Practice requirement, as set forth in the Quality System Regulation (QS) for Medical Devices: General regulation (21 CFR Part 820) and that, through periodic (QS) inspections, the Food and Drug Administration (FDA) will verify such assumptions. Failure to comply with the GMP regulation may result in regulatory action. In addition, FDA may publish further announcements concerning your device in the Federal Register. Please note: this response to your premarket notification submission does not affect any obligation you might have under sections 531 through 542 of the Act for devices under the Electronic Product Radiation Control provisions, or other Federal laws or regulations.

This letter will allow you to begin marketing your device as described in your 510(k) premarket notification. The FDA finding of substantial equivalence of your device to a legally marketed predicate device results in a classification for your device and thus, permits your device to proceed to the market.

Page 2 – Mr. Winston Anderson

If you desire specific advice for your device on our labeling regulation (21 CFR Part 801 and additionally 809.10 for in vitro diagnostic devices), please contact the Office of Compliance at (301) 594-4659. Additionally, for questions on the promotion and advertising of your device, please contact the Office of Compliance at (301) 594-4639. Also, please note the regulation entitled, "Misbranding by reference to premarket notification" (21 CFR 807.97). Other general information on your responsibilities under the Act may be obtained from the Division of Small Manufacturers Assistance at its toll-free number (800) 638-2041 or (301) 443-6597 or at its Internet address "<http://www.fda.gov/cdrh/dsmamain.html>".

Sincerely yours,

A handwritten signature in cursive script that reads "Barbara Gimmelman for".

Celia M. Witten, Ph.D., M.D.

Director

Division of General, Restorative and

Neurological Devices

Office of Device Evaluation

Center for Devices and

Radiological Health

Enclosure

15010380/A

510(k) NUMBER (IF KNOWN): K010380

DEVICE NAME: MP3HD Big Boy

INDICATIONS FOR USE:

The intended use of the MP3HD is to provide mobility to relatively large adults, limited to a sitting position that have the capacity to operate a few simple controls and the ability to control a power wheelchair.

Yours truly,

Winston Anderson
Vice President
Merits Health Product

Winston Anderson V.P.

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FDA/CDRH/ODE/DHC

(PLEASE DO NOT WRITE BELOW THIS LINE-CONTINUE ON ANOTHER PAGE IF NEEDED.)

Concurrence of CDRH, Office of Device Evaluation (ODE)

Prescription Use
(Per 21 CFR 801.109)

OR Over-The-Counter-Use
(Optional Format 1-2-96)
Barbara J. [Signature] Celia Witten
(Division Sign-Off)
Division of General, Restorative
and Neurological Devices

510(k) Number K010380